



OFFICE OF THE CITY CLERK

REPORT

To The Honorable Mayor and City Council

DATE: January 8, 1998

REPORT NO.: 98-01

SUBJECT: DOCKETING OF "CONVENTION CENTER EXPANSION ON THE BALLOT" REFERENDARY PETITION

On December 26, 1997, the Convention Center Expansion on the Ballot committee filed with my office a referendary petition to repeal Ordinance O-18443 (NS), which authorized and approved the execution and delivery of certificates of participation enabling the expansion of the San Diego Convention Center. The petition was filed within the prescribed time period of 30 days following final adoption of the ordinance by Council.

On January 8, 1998, the Registrar of Voters completed the petition signatures verification by use of a random sampling method and provided us formal certification of the results. The petition was found to contain the valid signatures of over five (5) percent of the City's registered voters as required by the Charter to qualify the legislative act for repeal by the City Council or for direct submission to the electorate (see attached City Clerk Certificate).

Action by Council for referendum petition is set forth in Municipal Code Section 27.2619:

"If the petition is presented to the City Council by the City Clerk at a City Council meeting held in accordance with Section 27.2615, the City Council must within ten (10) working days reconsider the legislative act in question."

Further, Municipal Code Section 27.2620 provides:

"If the City Council refuses to grant the petition to repeal the legislative act in question or fails to reconsider the act within ten (10) working days after presentation by the City Clerk, the City Council shall:

- (a) adopt a resolution of intention to submit the matter to the voters at an election; and
- (b) direct the City Attorney to prepare an ordinance calling an election to place the matter on the ballot.

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The timing of an election is discussed in Municipal Code Section 27.2621, as follows:

- (a) Except as provided in Section 27.2621(b), if an election is called, it shall be held within eleven (11) months of the adoption of the resolution of intention to submit the matter to the voters.
- (b) If any other city-wide election for any purpose at which all the voters are entitled to vote is scheduled to be held within eleven (11) months from the date of the adoption of the resolution set forth in 27.2620(a), then the City Council may at its discretion submit the legislative act to the voters at that election.

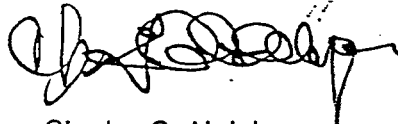
When a petition is presented to Council, the Council may take any of three actions:

- 1. Repeal the legislative act in question; or
- 2. Reject the petition to repeal the legislative act and direct the City Attorney to prepare an ordinance calling an election to place the matter on the ballot. In no event shall the election be held later than eleven (11) months from the date the petition is presented to Council; or
- 3. Take no action, in which case the Council has ten (10) working days from the date the petition is presented to Council to repeal the legislative act; after that date, the Council must adopt a resolution of its intent to submit the matter to the voters.

As you are aware, the City's municipal primary election is scheduled for June 2, 1998, consolidated with the state primary election. The next regularly scheduled election day is November 3, 1998.

If you have questions, please contact Elections Analyst Bonnie Stone at 533-4060.

Sincerely,



Charles G. Abdelnour
City Clerk

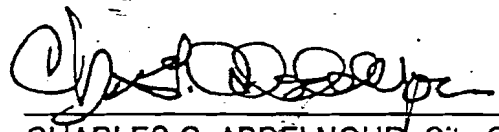
Attachment (City Clerk's Certificate)

OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

CERTIFICATE OF CITY CLERK

I, CHARLES G. ABDELNOUR, City Clerk of The City of San Diego, California,
DO HEREBY CERTIFY the following results of the examination of the petition filed by
the Convention Center Expansion on the Ballot committee on December 26, 1997,
EXHIBIT A, attached.

- (a) That the petition contained 45,397 signatures.
- (b) That three (3) percent or 1,361 signatures in a random sampling were examined and 1,120 signatures of qualified electors of the City of San Diego were found to be contained in the sample for an indicated petition validity of 82 percent.
- (c) That the projected number of valid signatures for the petition was 36,146.
- (d) That for qualification, a referendary petition shall be signed by at least five (5) percent of the registered electors in the City at the last preceding General Municipal Election. The basic qualification criterion for this petition is 28,046 signatures.
- (e) That for qualification of a petition by random sampling the projected number of valid signatures must be at least 110 percent of the basic qualification criterion, or $110\% \times 28,046 = 30,851$.
- (f) That since the 36,146 projected number of valid signatures on the petition is greater than the 28,046 basic qualification criterion, the petition qualifies for submission to the voters of the City.


CHARLES G. ABDELNOUR, City Clerk

(SEAL)

Dated at San Diego California
this 8th day of January, 1998